IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PROMETHEAN INSULATION TECHNOLOGY LLC, Plaintiff, v. SEALED AIR CORPORATION, ET AL., Defendants.	§ § § § § § § § § § §	 2:13-cv-01113-JRG-RSP LEAD CASE JURY TRIAL DEMANDED
TVM BUILDING PRODUCTS INC.	§	2:13-cv-01124
SOPREMA, INC. (CANADA), ET AL.	§	2:14-cv-00004

ORDER REGARDING AGREED MOTION BY PLAINTIFF AND DEFENDANTS SOPREMA, INC. (CANADA), SOPREMA, INC. (UNITED STATES) AND SOPREMA U.S.A., INC. TO DISMISS ALL CLAIMS AND COUNTERCLAIMS WITHOUT PREJUDICE

The Court having considered Plaintiff Promethean Insulation Technology, LLC ("Promethean") and Defendants Soprema, Inc. (Canada), Soprema, Inc. (United States) and Soprema U.S.A., Inc.'s (collectively "Soprema") Agreed Motion to Dismiss Without Prejudice, (Docket No. 308), hereby finds that the requested relief is proper and hereby ORDERS that: Promethean's claims against Soprema as set forth in the Complaint (Docket No. 1) are hereby dismissed without prejudice and Soprema's counterclaims against Promethean in their First Amended Answer and Counterclaims (Docket No. 35) are dismissed without prejudice. Each party maintains the ability to reassert previously made claims, counterclaims, defenses, any other affirmative defense that could be asserted at or after the time of this dismissal (e.g., collateral estoppel.) and the damages period is tolled.

The Court further ORDERS that Civil Action No. 2:14-cv-00004 be dismissed without prejudice.

Each party will bear its own costs and fees.

So ORDERED and SIGNED this 17th day of November, 2015.

RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE